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FM AMEMBASSY NEW DELHI  
TO RUEHC/SECSTATE WASHDC 4911  
INFO RUEHCG/AMCONSUL CHENNAI 4086  
RUEHNEH/AMCONSUL HYDERABAD 0090  
RUEHCI/AMCONSUL KOLKATA 3330  
RUEHBI/AMCONSUL MUMBAI 3153  
RUEHBK/AMEMBASSY BANGKOK 7159  
RUEHKA/AMEMBASSY DHAKA 1807  
RUEHKT/AMEMBASSY KATHMANDU 2270

UNCLAS SECTION 01 OF 02 NEW DELHI 000007

SENSITIVE

SIPDIS

CA/FPP FOR JILL NYSTROM, PLEASE PASS TO DHS

E.O. 12958: N/A

TAGS: [KFRD](#) [CVIS](#) [CMGT](#) [ASEC](#) [IN](#) [BT](#)

SUBJECT: VALIDATION STUDY OF BHUTANESE NIV APPLICANTS

REF: 08 NEW DELHI 3190

SUMMARY

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11. (SBU) In response to concerns raised by smuggling of Bhutanese applicants (reftel), Embassy New Delhi has completed a three-part validation study of Bhutanese non-immigrant visa (NIV) applicants. The study reviews (1) Bhutanese students issued F, M or J visas between FY 2006 and FY 2008, (2) all other NIV classes for FY 2007, and (3) all other NIV classes for a portion of FY 2008. The Embassy's validation study of Bhutanese students shows broad compliance with the law and overstay rates less than one half of one percent. However, validation of the other NIV applicant categories reveals apparent non-compliance rates of over 16% and 9% in FY 2007 and FY 2008 respectively. It also highlighted the need to obtain more accurate applicant contact information in all future adjudications. End Summary.

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STUDENTS ARE STUDYING  
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12. (SBU) Embassy New Delhi validated 100% of the 174 Bhutanese students issued visas in FY 2006, FY 2007, and FY 2008: 174 in total. Of these, SEVIS checks revealed only one applicant in "deactivated" status whose departure from the United States could not be confirmed via ADIS or other checks. Post's FPU called the applicant using the contact information provided at interview and additional numbers as provided by those at that address, but has been unable to reach the applicant or his family members. Nonetheless, these results speak well for Bhutanese student visa recipients' appropriate use of their visas.

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FY 2007: MANY HAVE STAYED  
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13. (SBU) Post validated 100% of all NIVs issued to Bhutanese nationals in categories other than F, J, M and K1 for FY 2007; 334 in total. To do so, Post pulled all NIV issuance records from the CCD for FY 2007 for ADIS analysis. Post then removed any applicant records that showed a departure or extension/adjustment of status. FPU made calls to each of the remaining 59 applicants, using the contact information provided at time of interview.

14. (SBU) Of the group, 22 were confirmed to be overstays, representing 6.5% of New Delhi's FY 2007 NIV Bhutanese issuances. Calls attempted for 33 applicants revealed that the contact information provided on the DS156 applications was incorrect, a further 9.8% of issuances. Some listed the Embassy of Bhutan in New

Delhi as their contact information, others listed non-working numbers, and others listed numbers answered by people who claimed not to know the applicant.

¶15. Assuming those applicants who provided incorrect contact information did so intentionally because they intended to stay/are staying in the United States currently, that would represent an overstay rate of 16% of all of Post's FY 2007 NIV Bhutanese issuances. Also worthy of note, 14 (4%) of the 334 have filed to adjust to LPR status and 20 (5.9%) have filed to adjust/extend their NIV status. Thus, it appears over 20% of FY 2007 visa recipients remain in the United States.

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FY 2008: MIXED RESULTS  
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¶16. (SBU) Post also reviewed the 549 NIVs issued to Bhutanese nationals in categories other than F, J, M and K1 from October 2007-August 2008. Removing all applicant records that showed a departure or extension/adjustment of status or in which the applicant was still in status (assuming a six-month stay), left 72 records for follow-up. FPU made calls to each of these remaining applicants, using the contact information provided at time of interview.

¶17. (SBU) Of this group, 25 recipients were confirmed to be overstays, representing 4.5% of the total. Calls attempted for 27 applicants revealed that the contact information provided on the DS156 applications was incorrect, a further 4.9% of issuances. Assuming those applicants who provided incorrect contact information

NEW DELHI 00000007 002 OF 002

did so intentionally because they intended to stay/are staying in the US currently, that would represent an overstay rate of 9% of all this FY 2008 sample. One other applicant has filed to adjust to LPR status, and five others have filed to adjust/extend their NIV status.

¶18. (SBU) Of particular note, of 131 applicants (primarily craftspeople) issued A2 visas to participate in the 2008 Smithsonian Folklife Festival, only one was identified as an overstay.

¶19. (SBU) COMMENT: The relatively large numbers of Bhutanese travelers who remain in the United States gives cause for greater scrutiny of their NIV applications. In particular, post will undertake to verify contact information before issuing visas to these applicants. Post has discussed the use of the Bhutan Embassy's contact details with the Bhutanese Deputy Chief of Mission; he confirmed his Embassy has no official role in these visa applications. END COMMENT.

Mulford